



4-7-04

Image

AF  
1647

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi, et al. Docket No.: 39780-1618P2C28  
Serial No.: 09/902,615 Group Art Unit: 1647  
Filing Date: July 10, 2001 Examiner: Spector, Lorraine  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND  
NUCLEIC ACIDS ENCODING THE SAME**

**NOTICE OF APPEAL****Mail Stop AF**

Commissioner for Patent

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated November 13, 2003 of the Primary Examiner finally rejecting Claims 39-43. The item(s) marked below are appropriate:

☒ **Filing Fee:**☐ \$165.00 (small entity)☒ \$330.00 (large entity)☒ **Time Extension Fee (if applicable):**☐ one months☒ two months (\$420.00/large entity)☐ three months

04/08/2004 CNGUYEN 00000108 081641 09902615

01 FC:1401 330.00 DA  
02 FC:1252 420.00 DA

**CERTIFICATE OF MAILING (37 CFR 1.10(a))**

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on April 5, 2004 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as **Express Mail No. EL 977 677 755 US** addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: April 5, 2004

  
Cheryl Ann Rogers

☒ The Commissioner is authorized to charge filing fee, additional fees or credit overpayment to Deposit Account No. 08-1641 (39780-1618P2C28).

Date: April 5, 2004

By: Daphne Reddy  
Daphne Reddy  
Reg. No. 53,507

**HELLER EHRMAN WHITE & McAULIFFE LLP**

**Customer No. 35489**

275 Middlefield Road

Menlo Park, California 94025

Telephone: (650) 324-7000

Facsimile: (650) 324-0638